

Sen. S. Elizabeth Lockman, Chair
Sen. Anthony Delcollo
Sen. Stephanie L. Hansen
Sen. Ernesto Lopez
Sen. John Walsh



Rep. David Bentz, Co-Chair
Rep. Andria L. Bennett
Rep. Jeffrey N. Spiegelman
Rep. Sherry Dorsey Walker
Rep. Lyndon D. Yearick

STATE OF DELAWARE

JOINT LEGISLATIVE OVERSIGHT AND SUNSET COMMITTEE

Meeting Minutes – May 16, 2019

Chair Lockman called the meeting to order at 1:02 p.m. Committee members present included Chair Lockman; Senators Delcollo, Hansen, Lopez, and Walsh; Representatives Bennett, and Yearick. Staff present included Mark Brainard, Jr. & Amanda McAtee, JLOSC Analysts; Holly Vaughn Wagner, Legislative Attorney; Julie Fedele, Legislative Analyst, Office of the Controller General; Natalie White, Administrative Specialist; and Grace Pedersen, Legislative Fellow. A quorum was met. Chair Lockman welcomed the members of the committee to the meeting and called for introductions.

Chair Lockman moved to item number 2 on the agenda, the approval of the May 13, 2019 meeting minutes. A motion was made by Senator Delcollo to approve the May 13, 2019 meeting minutes, and was seconded by Senator Lopez. The motion carried 7-0, with Senators Delcollo, Hansen, Lockman, Lopez, Walsh, and Representatives Bennett, and Yearick voting in favor, no opposed, Representatives Bentz, Dorsey Walker, and Spiegelman absent.

Chair Lockman moved to item number 3 on the agenda, the discussion of the draft legislation. Holly Vaughn Wagner presented draft legislation that would update the JLOSC statute. Senator Delcollo gave a thank you to Holly for efforts made in drafting of this bill. Senator Delcollo made a motion to approve the draft legislation, which was seconded by Representative Spiegelman. The motion carried 8-0, with Senators Delcollo, Hansen, Lockman, Lopez, Walsh, and Representatives Bennett, Spiegelman, and Yearick voting in favor, no opposed, Representatives Bentz and Dorsey Walker absent.

Holly Vaughn Wagner presented draft legislation amending the statute related to the Board of Social Work Examiners. Senator Delcollo made a motion to approve the draft legislation, which was seconded by Representative Spiegelman. The motion carried 9-0, with Senators Delcollo, Hansen, Lockman, Lopez, Walsh, and Representatives Bennett, Dorsey Walker, Spiegelman, and Yearick voting in favor, no opposed, Representative Bentz absent.

Holly Vaughn Wagner presented draft legislation that would clarify the administrative cost cap and the tax assessment date related to the Hazardous Substance and Cleanup Fund review. Representative Spiegelman requested a representative from DNREC address the changes. Tim Ratsep, Director of the Division of Waste and Hazardous Substances, commented on the intent of the legislation. Senator Walsh made a motion to approve the draft legislation, which was seconded by Representative Spiegelman. The motion carried 9-0, with Senators Delcollo, Hansen, Lockman,

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Lopez, Walsh, and Representatives Bennett, Dorsey Walker, Spiegelman, and Yearick voting in favor, no opposed, Representative Bentz absent.

Holly Vaughn Wagner presented 6 draft legislation bills pertaining to the JLOSC Cleanup Project. Lydia Massey, Director of Boards and Commissions from the Office of the Governor, was present to answer questions.

Holly Vaughn Wagner presented draft legislation amending the statute related to the Delaware Health Resources Board. Representative Spiegelman asked questions. Clarification was provided by Lydia Massey. Senator Delcollo made a motion to approve the draft legislation, which was seconded by Representative Spiegelman. The motion carried 10-0, with Senators Delcollo, Hansen, Lockman, Lopez, Walsh, and Representatives Bennett, Bentz, Dorsey Walker, Spiegelman, and Yearick voting in favor, no opposed.

The second bill presented amended the statute related to the Common Interest Community Advisory Council. Representatives Yearick and Bennett asked questions. Lydia Massey provided clarification. Senator Walsh made a motion to approve the draft legislation, which was seconded by Senator Lopez. The motion carried 10-0, with Senators Delcollo, Hansen, Lockman, Lopez, Walsh, and Representatives Bennett, Bentz, Dorsey Walker, Spiegelman, and Yearick voting in favor, no opposed.

The third bill presented amended the statute related to the Governor's Council on Agriculture. Senator Walsh asked a question. Lydia Massey provided clarification. Representatives Bennett and Spiegelman commented on a judicial ruling regarding the Boards and Commissions last year. Representative Spiegelman posed a question that if JLOSC is removing party balance from this Council's makeup, then geographical balance should substitute. Lydia Massey explained the current process. Representative Dorsey Walker stated her concern with representation in this geographical balance change. Representative Yearick expressed concerns to a change. Representative Spiegelman made a motion to table the draft legislation until geographical balance language is prioritized, which was seconded by Representative Dorsey Walker. The motion to table the draft legislation was approved 10-0, with Senators Delcollo, Hansen, Lockman, Lopez, Walsh, and Representatives Bennett, Bentz, Dorsey Walker, Spiegelman, and Yearick voting in favor, no opposed.

The fourth bill presented amended the statute related to the Architecture Accessibility Board. Senator Delcollo made a motion to approve the draft legislation, which was seconded by Senator Walsh. The motion carried 10-0, with Senators Delcollo, Hansen, Lockman, Lopez, Walsh, and Representatives Bennett, Bentz, Dorsey Walker, Spiegelman, and Yearick voting in favor, no opposed.

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The fifth bill presented would amend the statute related to the Advisory Council to the Division of Developmental Disabilities Services. Senator Hansen asked a question. Lydia Massey clarified. Representative Spiegelman asked for a clarification. Lydia Massey offered additional details. Senator Lopez made a motion to approve the draft legislation, which was seconded by Representative Bennett. The motion carried 9-0, with Senators Hansen, Lockman, Lopez, Walsh, and Representatives Bennett, Bentz, Dorsey Walker, Spiegelman, and Yearick voting in favor, no opposed, Senator Delcollo absent.

The sixth bill presented would amend the statute related to the Council on Development Finance. Senator Walsh made a motion to approve the draft legislation, which was seconded by Representative Bennett. The motion carried 9-0, with Senators Hansen, Lockman, Lopez, Walsh, and Representatives Bennett, Bentz, Dorsey Walker, Spiegelman, and Yearick voting in favor, no opposed. Senator Delcollo absent.

Holly Vaughn Wagner presented draft legislation that would establish the Committee's task force to study the Division for the Visually Impaired recommendations. Representative Spiegelman asked a question. Clarification was provided by Holly Vaughn Wagner. Chair Lockman recognized Elisha Jenkins, Director of the Division of Visually Impaired, to give feedback. Chair Lockman asked a question of the Division. Ms. Jenkins provided clarification. Representative Spiegelman made a motion to table the draft legislation, which was seconded by Senator Lopez. The motion to table was approved 8-0, with Senators Hansen, Lockman, Lopez, and Representatives Bennett, Bentz, Dorsey Walker, Spiegelman, and Yearick voting in favor, no opposed. Senators Delcollo and Walsh absent.

Chair Lockman moved to the last agenda item regarding recommendations for DACCTE, and the discussion to hold the agency over. Mark Brainard, Jr., Research Analyst, stated that a motion is needed to rescind the vote on Recommendation 9 and then adopt option 2 or an amended version of option 1. Representative Spiegelman made a motion to rescind the vote on Recommendation 9 and approve Recommendation 9 Option 2, which was seconded by Representative Bennett. The motion carried 8-0, with Senators Hansen, Lockman, Lopez, and Representatives Bennett, Bentz, Dorsey Walker, Spiegelman, and Yearick voting in favor, no opposed. Senators Delcollo and Walsh absent.

Chair Lockman stated the dates for the June meetings were June 4, June 6, June 11, and June 13. On the agendas for these would be to discuss entities for 2020, to review and approve final reports, and to review and approve all remaining draft legislation.

Senator Lopez motioned to adjourn the meeting at 1:46 p.m., which was seconded by Representative Dorsey Walker. The motion carried 8-0, with Senators Hansen, Lockman, Lopez, and Representatives Bennett, Bentz, Dorsey Walker, Spiegelman, and Yearick voting in favor, no opposed. Senators Delcollo and Walsh absent.

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Respectfully prepared by:

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Access to the audio recording of this proceeding is available upon request.

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